

(5) **INSTRUMENT FLIGHT PROCEDURES GATEWAY.**—The term “Instrument Flight Procedures Gateway” means a centralized instrument flight procedures data portal providing, among others, current IFPs under Development or Amendments with Tentative Publication Date and Status.

(6) **ELECTED GOVERNING BODY.**—The term “elected governing body” means a municipal body having legislative and administrative powers, such as passing ordinances and appropriating funds, such as a City Council, Town Council, County Board of Supervisors, or similar.

(7) **PBN.**—The term “PBN” means performance based navigation.

SA 2456. Mrs. FEINSTEIN (for herself and Mr. PADILLA) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2656, line 7, insert “*Provided further*, That notwithstanding section 111(a) or (b) of title 23, United States Code, or the fee limitations in sections 137 or 142 of such title, the Secretary shall permit limited commercial activities for charging of electric vehicles on rights-of-way of any Federal-aid highway, including highways on the Interstate System, including in: (1) a rest area; or (2) a fringe or corridor parking facility, including a park and ride facility: *Provided further*, That, for purposes of this paragraph in this Act, limited commercial activities for charging of electric vehicles at rest areas described in the preceding proviso may be located as follows: (1) except as otherwise provided in this proviso, a State may permit such limited commercial activity unless it is located within 5 travel miles of an existing facility that is located no more than 1 mile from the Interstate and that, as determined by the Secretary, provides substantially the same services to the public in sufficient capacity at the time such determination is made; (2) if a State demonstrates to the Secretary that there is insufficient capacity providing substantially the same services to the public at an existing facility located no more than 1 mile from the Interstate and within 5 travel miles of a rest area, the Secretary may authorize the State to permit limited commercial activities for charging of electric vehicles within any distance of the existing facility; and (3) for purposes of this proviso, the type and amount of the electric vehicle service provided, including whether available technology meets current and projected needs, are relevant to a demonstration of sufficient capacity: *Provided further*, That nothing in the preceding two provisos shall permit commercial activities on rights-of-way of the Interstate System, except as necessary for the charging of electric vehicles in accordance with this paragraph in this Act:” after “proviso:”.

SA 2457. Mrs. FEINSTEIN submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684,

to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

In section 40101(a)(2) of division D, strike subparagraphs (F) and (G) and insert the following:

- (F) a fuel supplier;
- (G) a community choice aggregator; and
- (H) any other relevant entity, as determined by the Secretary.

SA 2458. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2520, line 5, insert “*Provided further*, That \$31,500,000 of the amounts made available under this heading shall be used for highway improvements on the routes to and from the Waste Isolation Pilot Plant, including to make payments to the State of New Mexico for such improvements pursuant to section 15 of the Waste Isolation Pilot Plant Land Withdrawal Act (Public Law 102-579; 106 Stat. 4791):” after “fiscal year:”.

SA 2459. Mr. LUJÁN (for himself and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title XII of division D, insert the following:

SEC. 412. NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.

- (a) **DEFINITIONS.**—In this section:
 - (1) **EERE.**—The term “EERE” means the Office of Energy Efficiency and Renewable Energy of the Department.
 - (2) **NNSA.**—The term “NNSA” means the National Nuclear Security Administration.
 - (3) **OFFICE OF INTELLIGENCE AND COUNTERINTELLIGENCE.**—The term “Office of Intelligence and Counterintelligence” means the Office of Intelligence and Counterintelligence of the Department.
 - (4) **OFFICE OF SCIENCE.**—The term “Office of Science” means the Office of Science of the Department.
 - (5) **PROGRAM.**—The term “Program” means the National Laboratory Biotechnology Program established under subsection (b)(1).
 - (6) **WORKING GROUP.**—The term “working group” means the working group established under subsection (b)(2).
- (b) **NATIONAL LABORATORY BIOTECHNOLOGY PROGRAM.**—
 - (1) **IN GENERAL.**—The Secretary shall establish a National Laboratory Biotechnology Program to integrate the resources of the Department, including the Office of Science, the Office of Intelligence and Counterintel-

ligence, the EERE, and the NNSA, to provide research, development, test and evaluation, and response capabilities to respond to—

- (A) biological disasters and emergencies;
- (B) long-term biotechnology threats and hazards impacting national security;
- (C) emerging and re-emerging diseases; and
- (D) any remaining threats posed by COVID-19.

(2) **WORKING GROUP.**—To carry out the Program, the Secretary shall establish a working group, which shall comprise appropriate leadership from the Office of Science, the NNSA, and the National Laboratories.

(3) **FUNCTIONS.**—The working group shall—

- (A) oversee the development and operation of major research activities of the Program;
- (B) identify Department programs and elements that will participate in the research and development activities of the Program;

(C) establish a formal process to engage the capabilities of the National Laboratories, including identifying a National Laboratory to be a coordinator for each research project carried out under the Program;

(D) collaborate with the directors of research directorates of the Department, directors of National Laboratories, and other senior Department officials, as appropriate, to gain greater access to top researchers and new and potentially transformative ideas;

(E) periodically review and recommend updates as necessary to Program policies and guidelines for the development and operation of major research activities, including by taking into consideration how those updates fit into the broader Federal response framework;

(F)(i) disperse funds to entities participating in activities under the Program; and

(ii) conduct periodic reviews to adjust funding allocations in response to changing biological disasters and emergencies, biotechnology threats, biodefense needs, or emerging and re-emerging diseases;

(G) enable access to broad scientific and technical expertise and resources that will lead to the deployment of innovative products, including through—

(i) research and development, including proof of concept, technical development, and compliance testing activities; and

(ii) early-stage product development, including through—

(I) computational modeling and simulation;

(II) molecular structural determination;

(III) genomic sciences;

(IV) epidemiological and logistics support;

(V) knowledge discovery infrastructure and scalable protected data;

(VI) advanced manufacturing to address supply chain bottlenecks;

(VII) new capabilities for testing of clinical and nonclinical samples;

(VIII) understanding environmental fate and transport of viruses; and

(IX) discovery of potential therapeutics through computation and molecular structure determination;

(H) support unclassified and classified research that harnesses the capabilities of the National Laboratories to address advanced biological threats of national security significance through assessments and research and development programs that—

(i) support the near- and long-term biodefense needs of the United States;

(ii) support the national security community in reducing uncertainty and risk;

(iii) enable greater access to top researchers and new and potentially transformative ideas for biodefense of human, animal, plant, environment, and infrastructure assets (including physical, cyber, and economic infrastructure); and

(iv) enable access to broad scientific and technical expertise and resources that will

lead to the development and deployment of innovative biodefense assessments and solutions, including through—

(I) the accessing, monitoring, and evaluation of biological threats to reduce risk, including through analysis and prioritization of gaps and vulnerabilities across open-source and classified data;

(II) development of scientific and technical roadmaps—

(aa) to address gaps and vulnerabilities;

(bb) to inform analyses of technologies; and

(cc) to accelerate the application of unclassified research to classified applications; and

(III) demonstration activities to enable deployment, including—

(aa) threat signature development and validation;

(bb) automated anomaly detection using artificial intelligence and machine learning;

(cc) fate and transport dynamics for priority scenarios;

(dd) data curation, access, storage, and security at scale; and

(ee) risk assessment tools;

(I) provide access to scientific user facilities and collaboration facilities with advanced or unique equipment, services, materials, and other resources to perform research and testing;

(J) establish a short-term exchange program under the Program for National Laboratory staff and management to build connections and awareness across the National Laboratory system;

(K) support technology transfer and related activities; and

(L) promote access and development across the Federal Government and to United States industry, including startup companies, of early applications of the technologies, innovations, and expertise beneficial to the public that are derived from Program activities.

(4) STRENGTHENING INSTITUTIONAL RESEARCH AND PRIVATE PARTNERSHIPS.—

(A) IN GENERAL.—The working group shall, to the maximum extent practicable, promote cooperative research and development activities under the Program, including collaboration between appropriate industry and academic institutions to promote innovation and knowledge creation.

(B) ACCESSIBILITY OF INFORMATION.—The working group shall develop, maintain, and publicize information on scientific user facilities and capabilities supported by laboratories of the Department for combating biotechnology threats, which shall be accessible for use by individuals from academic institutions and industry.

(C) ACADEMIC PARTICIPATION.—The working group shall, to the maximum extent practicable—

(i) conduct outreach about internship opportunities relating to activities under the Program primarily to institutions of higher education and minority-serving institutions of higher education;

(ii) encourage the development of research collaborations between research-intensive universities and the institutions described in clause (i); and

(iii) provide traineeships at the institutions described in clause (i) to graduate students who pursue a masters or doctoral degree in an academic field relevant to research advanced under the Program.

(5) EVALUATION AND PLAN.—

(A) IN GENERAL.—Not less frequently than biennially, the Secretary shall—

(i) evaluate the activities carried out under the Program; and

(ii) develop a strategic research plan under the Program, which shall be made publicly available and submitted to the Committee on Energy and Natural Resources of the Sen-

ate and the Committee on Energy and Commerce of the House of Representatives.

(B) CLASSIFIED INFORMATION.—If the strategic research plan developed under subparagraph (A)(ii) contains classified information, the plan—

(i) shall be made publicly available and submitted to the committees of Congress described in subparagraph (A)(ii) in an unclassified format; and

(ii) may, as part of the submission to those committees of Congress only, include a classified annex containing any sensitive or classified information, as necessary.

(6) INTERAGENCY COLLABORATION.—The working group may collaborate with the Secretary of Homeland Security, the Secretary of Health and Human Services, the Secretary of Defense, the Secretary of Agriculture, the Director, and the heads of other appropriate Federal departments and agencies to advance biotechnology research and development under the Program.

(7) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section, to remain available until expended—

(A) \$30,000,000 for fiscal year 2022;

(B) \$40,000,000 for fiscal year 2023;

(C) \$45,000,000 for fiscal year 2024; and

(D) \$50,000,000 for each of fiscal years 2025 and 2026.

SA 2460. Mr. LUJÁN (for himself, Mr. PADILLA, Mr. BOOKER, Mrs. FEINSTEIN, Mr. SCHATZ, Mr. BLUMENTHAL, and Mr. HEINRICH) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

Strike section 60506 and insert the following:

SEC. 60506. DIGITAL REDLINING.

(a) STATEMENT OF POLICY.—It is the policy of the United States that, insofar as technically feasible—

(1) subscribers should benefit from equal access to broadband internet access service within the service area of a provider of such service;

(2) the term “equal access”, for purposes of this section, means the equal opportunity to subscribe to an offered service that provides comparable speeds, capacities, latency, and other quality of service metrics in a given area, for comparable terms and conditions; and

(3) the Commission should take steps to ensure that all people of the United States benefit from equal access to broadband internet access service.

(b) ADOPTION OF RULES.—Not later than 2 years after the date of enactment of this Act, the Commission shall adopt final rules to promote equal access to broadband internet access service, including— taking into account the issue of technical feasibility presented by that objective, including—

(1) identifying what constitutes digital redlining;

(2) identifying necessary steps for the Commissions to take to eliminate digital redlining; and

(3) preventing discrimination of access based on income level, race, ethnicity, color, religion, or national origin.

(c) FEDERAL POLICIES.—The Commission and the Attorney General shall ensure that Federal policies promote equal access to robust broadband internet access service by prohibiting deployment discrimination based on—

(1) the income level of an area;

(2) the predominant race or ethnicity composition of an area; or

(3) other factors the Commission determines to be relevant based on the findings in the record developed from the rulemaking under subsection (b).

(d) MODEL STATE AND LOCAL POLICIES.—The Commission shall develop model policies and best practices that can be adopted by States and localities to ensure that broadband internet access service providers do not engage in digital redlining.

(e) COMPLAINTS.—

(1) IN GENERAL.—The Commission shall revise its public complaint process to accept complaints from consumers or other members of the public that relate to digital redlining.

(2) REPORTS.—The Commission shall publish an annual report regarding complaints that the Commission has received under paragraph (1) that identifies—

(A) each provider of broadband internet access service that have been the subject of a complaint;

(B) the status of each complaint; and

(C) any action taken by the Commission in response to a complaint.

SA 2461. Mr. MARSHALL (for himself and Mr. COTTON) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle B of title I of division D add the following:

SEC. 40128. FRAUD AND RELATED ACTIVITY IN CONNECTION WITH CRITICAL INFRASTRUCTURE.

Section 1030(c) of title 18, United States Code, is amended—

(1) in paragraph (4)(G)(ii), by striking the period at the end and inserting “; or”; and

(2) by inserting after paragraph (4) the following:

“(5) a fine under this title and imprisonment for not less than 30 years or for life, in the case of an offense that involves critical infrastructure (as defined in subsection (e) of the Critical Infrastructures Protection Act of 2001 (42 U.S.C. 5195c(e)))”.

SA 2462. Mr. MARKEY (for himself, Mrs. GILLIBRAND, Mr. PADILLA, Mr. BLUMENTHAL, Mr. VAN HOLLEN, and Mr. MERKLEY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows: